CLASSIFICATION OFFICE DECISION

Title of publication:	Image 5
Other known title(s):	Not stated
OFLC ref:	1100905.004
Medium:	Computer Image File Printout
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	30 September 2011
Date of direction to issue a label:	No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file printout is deemed to be objectionable because it promotes and supports the exploitation of children or young people for sexual purposes.

The image on the printout shows a near-naked child or young teenage boy apparently dressing. The camera focuses on his genitals, visible between his widespread legs. Images such as this invite viewers to see young boys as available for adult sexual gratification. The effect is to create or reinforce a sexual interest in children or young people and encourage their sexual exploitation.

The classification given to this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) of the Films, Videos, and Publications Classification Act 1993 are deemed to be objectionable. The classification is a reasonable limitation on the right to freedom of expression and reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.